

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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JOHNSON-TUCKER, et al., :  
Plaintiffs, :  
-against- :  
: 23 Civ. 1351 (LGS)  
LOYOLA SCHOOL, et al., :  
Defendants. : **ORDER**  
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LORNA G. SCHOFIELD, District Judge:

WHEREAS, on May 10, 2023, a pre-motion conference was held to discuss Defendants' proposed motion to dismiss. For the reasons discussed at the conference, it is hereby

**ORDERED** that, by **May 24, 2023**, Plaintiffs shall file a First Amended Complaint ("FAC"), with particular attention to the demands for declaratory and injunctive relief, the allegation of state action, the unserved student Defendants, the particular Defendants alleged to be liable on each claim, and the negligent hiring, training and supervision claim.

**ORDERED** that Defendants shall file an answer to the FAC and, by **May 31, 2023**, shall file a letter proposing a date by which they will do so. The letter shall state whether Defendants intend to file a motion for judgment on the pleadings under Federal Rule of Civil Procedure 12(c) in lieu of the proposed motion to dismiss. Should Defendants determine not to file such a motion, the filing of an answer shall be without prejudice to any argument at the conclusion of discovery about the insufficiency of the FAC. Should Defendants determine to file such a motion, the letter shall include a jointly proposed briefing schedule.

Dated: May 11, 2023  
New York, New York

  
**LORNA G. SCHOFIELD**  
**UNITED STATES DISTRICT JUDGE**